

## **CITY OF HOLLISTER - AGENDA**

for **City Council Meeting**

of **December 19, 2005**

at **6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

### **NOTICE TO PUBLIC**

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**\*\* 6:00 p.m. - Closed Session -- See Attached Agenda.**

### **Call to Order**

### **Pledge of Allegiance**

**Roll Call:** Mayor Robert Scattini, City Council Members Doug Emerson, Pauline Valdivia, Brad Pike, and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

### **Verification of Agenda Posting**

### **6:00 p.m. - CLOSED SESSION AGENDA:**

- A. Public comment (limited to any item listed on Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:

1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential cases will be discussed).
2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed).
3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
  - a. RWQCB – Cease and Desist Order No. R3-2002-0105
  - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
  - c. Nicholson v. Hollister, Case No. CU-04-00063

## **6:30 p.m. - AGENDA**

### **A. CONSENT RESOLUTION (December 19, 2005):**

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

#### **Consent Items are Numbers A1, A2, A3, A4 and A5**

- A1. Minutes of the Regular Meetings of November 21, 2005, December 5, 2005 and Special Meeting of December 12, 2005.

Approve Minutes of the Regular Meetings of November 21, 2005, December 5, 2005 and Special Meeting of December 12, 2005.

- A2. Warrant Register(s).

The City Council will ratify and approve the following Warrant Register(s) for the General-Special-Enterprise-Assessment Funds dated:

- November 29, 2005, in the amount of \$ 634,936.28
- December 1, 2005, in the amount of \$ 58,536.95

- A3. Claim against the City – Gaxiola.

A claim against the City has been filed by Rosa Gaxiola. Staff recommends denial of this claim and seeks authorization to send the Notice of Rejection to the claimant.

**A4. Claim against the City – Palmer.**

A claim against the City has been filed by Anthony J. Palmer. Staff recommends denial of this claim and seeks authorization to send the Notice of Rejection to the claimant.

**A5. Donations from Maple Leaf Investment Company.**

The City Council will accept donations from Maple Leaf Investment Company and designate the funds (\$1000 each) for the Police Department, Animal Shelter and Fire Departments.

**B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:**

**1. PUBLIC INPUT.**

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2) minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

**C. PUBLIC HEARINGS (On or After 6:30 p.m.)**

None.

**D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:**

1. Resolution No. 2005-166, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES MASTER CONTRACT WITH HARRIS & ASSOCIATES for management of the long-term wastewater program.

This resolution approves Amendment No. 4 to the Professional Services Master Contract for management of the Long-term Wastewater Program with Harris & Associates.

2. Resolution No. 2005-167, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING PLANS AND SPECIFICATIONS AND CALLING FOR SEALED BIDS FOR THE ELKS LODGE ROOF REPAIR PROJECT, CIP 2509.

This resolution will approve the plans and specifications and authorize calling for sealed bids for the Elk's Lodge roof repairs.

**E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:**

1. Reports from City Council Committees.

Receive oral reports from members regarding the activities of various Ad hoc and Standing City Council Committees.

2. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

3. Water and Wastewater Issues.

The City Council will receive an oral status report from City Manager Quilter.

4. Hollister Municipal Airport status report.

The City Council will receive a status report on the Hollister Municipal Airport from Airport Manager Gere.

5. Appointment of San Benito County Sheriff and a member of the San Benito County Board of Supervisors to the Gang Task Force Advisory Board.

The City Council will appoint a San Benito County Sheriff and a member of the San Benito County Board of Supervisors to the Gang Task Force Advisory Board.

6. Authorization for the Gang Task Force Advisory Board to appoint alternate members.

The City Council will authorize the Gang Task Force Advisory Board to appoint alternate members.

7. Appointment of Community Member-at-Large and Alternate, to the Gang Task Force Advisory Board.

The City Council will authorize the appointment of Community Member-at-Large and Alternate to the Gang Task Force Advisory Board.

8. Report of Gang Prevention, Intervention and Suppression Efforts.

The City Council will receive a report of gang prevention, intervention and suppression efforts.

**F. UNFINISHED BUSINESS:**

1. Discussion of Motorcycle Rally and Ghost rider Promotions Proposal.

The City Council will discuss the Ghost rider Promotions proposal and the motorcycle rally in general and provide direction to staff as necessary.

**G. NEW BUSINESS:**

None.

**H. MISCELLANEOUS:**

None.

**ADJOURNMENT:**

Next Regular City Council Meeting is scheduled for January 3, 2006, at 6:30 p.m.

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].*